

Carol C. Villegas (N.Y. 4154324)

Christine M. Fox (N.Y. 2704641)

Jake Bissell-Linsk (N.Y. 5445911)

David Saldamando (N.Y. 5856950)

LABATON KELLER SUCHAROW LLP

140 Broadway

New York, NY 10005

cvillegas@labaton.com

cfox@labaton.com

jbissell-linsk@labaton.com

dsaldamando@labaton.com

*Lead Counsel for Lead Plaintiff Carl Shupe,
Plaintiff Construction Laborers Pension Trust
for Southern California, and the Proposed Class*

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

	x
CARL SHUPE and CONSTRUCTION	:
LABORERS PENSION TRUST FOR	:
SOUTHERN CALIFORNIA, Individually	Case No.:21-cv-11528
and on Behalf of All Others Similarly	:
Situated,	: Honorable Thomas L. Ludington
	: District Judge
Plaintiffs,	:
	: Honorable Anthony P. Patti
v.	: Magistrate Judge
	:
ROCKET COMPANIES, INC., JAY D.	September 10, 2024
FARNER, DANIEL GILBERT, and	:
ROCK HOLDINGS INC.,	:
	:
Defendants.	x

**PLAINTIFFS' MOTION TO FILE UNDER SEAL THEIR REPLY IN
SUPPORT OF THEIR MOTION TO EXCLUDE DEFENDANTS'
PROFFERED APRIL 5, 2024 EXPERT REPORT AND OPINIONS OF
TERRENCE HENDERSHOTT, Ph.D.**

MOTION

Pursuant to the Local Rules of the United States District Court for the Eastern District of Michigan Rule 5.3(b), and for the reasons set forth in the accompanying memorandum, Lead Plaintiff Carl Shupe and additional named Plaintiff Construction Laborers Pension Trust for Southern California (together, the “Plaintiffs”) respectfully request that the Court allow Plaintiffs to file under seal (“Motion to Seal”) Plaintiffs’ Reply in Support of Their Motion to Exclude Defendants’ Proffered April 5, 2024 Expert Report and Opinions of Terrence Hendershott, Ph.D. (“Reply in Support of Their Motion to Exclude”).

MEMORANDUM

Plaintiffs move the Court for an order allowing them to file under seal Plaintiffs' Reply in Support of Their Motion to Exclude.

Under the Protective Order that was stipulated by the Parties and ordered by the Court in this case, “[a]ny . . . document filed with the Court that discloses, summarizes, describes, characterizes, or otherwise communicates Confidential Discovery Material . . . must be filed confidentially and not available for public access.” *See* ECF No. 71 (the “Protective Order”) ¶7. The materials that would be sealed through this motion are Confidential Discovery Material or summarize, describe, characterize, or otherwise communicate Confidential Discovery Material pursuant to the Protective Order. The Parties discussed whether these Confidential Discovery Materials should be filed under seal and Defendants support this Motion to Seal.

Accordingly, Plaintiffs respectfully seek leave to file Plaintiffs' Reply in Support of Their Motion to Exclude under seal.

DATED: September 10, 2024

Respectfully submitted,

/s/ Carol C. Villegas

LABATON KELLER SUCHAROW LLP
Carol C. Villegas
Christine M. Fox
Jake Bissell-Linsk
David Saldamando
140 Broadway

New York, NY 10005
Telephone: (212) 907-0700
Facsimile: (212) 818-0477
cvillegas@labaton.com
cfox@labaton.com
jbissell-linsk@labaton.com
dsaldamando@labaton.com

*Lead Counsel for Lead Plaintiff Carl Shupe,
Plaintiff Construction Laborers Pension
Trust for Southern California, and the
Proposed Class*

CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2024 a true and correct copy of the attached Plaintiffs' Motion To File Under Seal Their Reply In Support Of Their Motion To Exclude Defendants' Proffered April 5, 2024 Expert Report And Opinions Of Terrence Herndershott, Ph.D was filed and duly served via ECF to all counsel of record.

/s/ Carol C. Villegas

Carol C. Villegas